

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**CASE NO.: 2:08-CR-178
JUDGE SMITH**

DANIEL DAVIES,

Defendant.

ORDER

On September 18, 2008, the Magistrate Judge issued a Report and Recommendation pursuant to 28 U.S.C. § 636(b)(1), recommending that the Court accept Defendant Daniel Davies' guilty plea to Count One of the Information. Defendant, represented by counsel, waived his right to appear on the matter before a District Judge. The Magistrate Judge conducted the colloquy required by Rule 11(b) of the Federal Rules of Criminal Procedure. Defendant's plea was knowing, voluntary, free from coercion, and had a basis in fact. Defendant was specifically informed of his right to contest the Report and Recommendation by filing any objections within 10 days of the issuance of the Report and Recommendation. Defendant did not file any objections. Accordingly, the Court **ADOPTS** the Report and Recommendation and **ACCEPTS** Defendant's plea of guilty of Count One of the Information. Defendant is hereby adjudged guilty on that count.

IT IS SO ORDERED.

/s/ George C. Smith

**GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT**